



3762-

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Westberg et al.

Docket No. F-5489

Serial No.: 09/389,504

Examiner: P. Bianco

Filed: 3 September 1999

Group Art Unit: 3762

Title: Blood Separation Systems and Methods Using Multiple Function Pump Station to Perform Different On-Line Processing Tasks

Patent
#8
B. Webb
1/30/04

REQUEST FOR FURTHER PROSECUTION

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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TECHNOLOGY CENTER R3700

Dear Sir:

Following a Status Inquiry made by applicant on 18 December 2003, the Customer Service Center, Technology Center 3700 of the USPTO reported that the current status of the above reference application is: NON FINAL ACTION MAILED as of 12/26/2001. A copy of the Technology Center 3700 communication reporting the status is attached as Attachment 1.

Applicant mailed an Information Disclosure Statement and an Amendment in response to the Office Action with a certificate of mailing on 3 June 2002 (Attachment 2). The return postcard, date stamped by the Patent Office on 11 June 2002, has acknowledged receipt of this IDS and Amendment, and the post card is attached as Attachment 3).

Applicant has not received a Notice of Abandonment, and the official status of the matter does not indicate that the application is considered abandoned. It is therefore respectfully requested that the application proceed for further prosecution.

Acknowledgement of the active status of this application is respectfully requested.

Respectfully Submitted,

By

Daniel D. Ryan, Reg. No. 29,243

RYAN KROMHOLZ & MANION, S.C.
Post Office Box 26618
Milwaukee, Wisconsin 53226
(262) 783 - 1300
14 January 2004



CERTIFICATE OF FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail on the date indicated below in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

By: _____

Judith Dunaway

Dated: _____

14 January 2004

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TECHNOLOGY CENTER R3700

F-5489



Larry I. Schwartz

United States Patent & Trademark Office
Customer Service Center, Technology Center 3700



703/306-5648

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Date: 1/7/04

Total # of pages including cover sheet: 1

To: Daniel Ryan

Recipient Fax:

From: Larry I. Schwartz
Administrator
Customer Service Center

Sender Fax: 703-872-9301

Memo:

In response to your inquiry:

Application 09389504 is currently in Status: 41 /NON FINAL ACTION MAILED as of 12/26/2001. The application is currently assigned to BIANCO, PATRICIA Group Art Unit: 3762. The docketed class/subclass is 422/044.000.

The response of June 3, 2002 has not been matched with the file. It is suggested that applicant file a petition to withdraw the holding of abandonment.

Fax•Fax•Fax•Fax•Fax•Fax•Fax•Fax•Fax•Fax•Fax

Attachment 1



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Westberg et al. Attorney Docket No.: 1006.F-5489
Serial No.: 09/389,504 Examiner: P. Bianco
Filed: 3 September 1999 Group Art Unit: 3762
For: Blood Separation Systems and Methods Using Multiple Function Pump Station
to Perform Different On-Line Processing Tasks

Commissioner for Patents
Washington, D.C. 20231

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AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is
☐ a small entity
☒ other than a small entity.

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United State Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Date: 3 June 2002

Judith Dunaway

Type or print name of person mailing paper

(Signature of person mailing paper)

Attachment 2

Amendment to patent application of Westberg et al., in
response to Office Action mailed 26 December '01, Serial No.
09/389,504 filed 3 September 1999 for Blood Separation Systems
and Methods Using Multiple Function Pump Station to
Perform Different On-Line Processing Tasks, consisting of:
transmittal letter; 19 page typewritten response; Information
Disclosure Statement (2 page transmittal letter, form PTO 1449
with copies of references cited); and Check No. 10374
\$1722.00

F-5489

Mailed 3 June 2002



Attachment 3

Amendment to patent application of Westberg et al., in
 response to Office Action mailed 26 December 2001, Serial No.
 09/389,504 filed 3 September 1999 for Blood Separation Systems
 and Methods Using Multiple Function Pump Station to
 Perform Different On-Line Processing Tasks, consisting of: -
 transmittal letter; 19 page typewritten response; Information
 Disclosure Statement (2 page transmittal letter, form PTO 1449
 with copies of references cited); and Check No. 10374
 \$1722.00

F-5489
 Mailed 3 June 2002

RYAN KROMHOLZ & MANION, S.C.

10374

			CHECK		
DATE	DESCRIPTION	INVOICE #	AMOUNT	DEDUCTION	NET AMOUNT
06/03/02	Commissioner of Patents and Trademarks Baxter Fenwal; 1006.F-5489; S/N 09/389,504		1722.00		1722.00

CHECK DATE	CONTROL NUMBER	TOTALS ▶	Gross:	Ded:	0.00	Net:	1722.00
06/03/02	10374						

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DATE: 06/03/02 CHECK: **\$1,722.00 AMOUNT:

PAY TO THE ORDER OF: *** ONE THOUSAND SEVEN HUNDRED TWENTY-TWO & 00/100 DOLLARS
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 Washington DC 20231



EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) - If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 CFR 1.645 for extensions of time in interference proceedings and 37 CFR 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply

(complete (a) or (b) as applicable)

(a) ☒ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

Extension (months)	Fee for other than <u>Small Entity</u>	Fee for <u>Small Entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input checked="" type="checkbox"/> three months	\$ 920.00	\$ 460.00
<input type="checkbox"/> four months	\$1440.00	\$ 720.00

Fee: \$ 920.00

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

☐ An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request: \$ _____

OR

(b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Additional Fee (Small Entity)	Additional Fee (Large Entity)
Total Claims 37 CFR 1.16(c)*	51	(46)	5	x \$ 9.00	\$45	\$90
Independent Claims (37 CFR 1.16(b)**	7	-4 =	3	x \$ 42.00	\$126	\$252
First Presentation of Multiple Dependent claim(s) if any (37 CFR 1.16(d))	1			\$140.00	\$140	\$280
Total Additional Fee					\$311	\$622

* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: "After final rejection or action (S 1.113) amendments may be made cancelling claims or complying with any requirement of form which has been made." 37 CFR S 1.116(a) (emphasis added).

(complete (c) or (d) as applicable)

(c) ☐ No additional fee for claims is required.

OR

(d) ☒ Total additional fee for claims required \$ 622.00.

FEE PAYMENT

5. ☒ Attached is a check in the sum of \$ 1722.00. (Three Month Extension of Time, IDS, and Additional Claim Fee)

☐ Charge Account No. _____ the sum of \$ _____.

A duplicate of this transmittal is attached.

FEE DEFICIENCY

NOTE: *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

6. [x] If any additional extension and/or fee is required, charge Account No. 06-2360.

AND/OR

- [x] If any additional fee for claims is required charge Account No. 06-2360



SIGNATURE OF ATTORNEY

Reg. No.: 29,243

Daniel D. Ryan

TYPE OR PRINT NAME OF ATTORNEY

Tel. No.: (262) 783 - 1300

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